

COURT OF FEDERAL CLAIMS 29TH JUDICIAL CONFERENCE

NOVEMBER 14, 2018

NATIONAL COURTS BUILDING

VACCINE SESSIONS

8:00 – 9:30 Registration/Pastries and Coffee Second Floor Lobby

8:30 – 11:00 Vaccine Session Courtroom 201

This session will discuss updates and reports of the vaccine program.

Moderator

Chief Special Master Nora Beth Dorsey

Panelists

Special Master Brian H. Corcoran

David J. Carney, Anapol Weiss

Altom M. Maglio, Maglio Christopher & Toale, PA

Captain Narayan Nair, Health Resources and Services Administration, U.S.

Department of Health and Human Services

Catharine E. Reeves, Department of Justice

11:00 – 12:00 Ethics Program: Attorney Discipline Courtroom 201

Following an introduction by the three judges appointed to the court's Standing Panel on Attorney Discipline, the Staff Attorneys Office will provide an overview of the court's attorney discipline rules, a review of the disciplinary process, and a discussion of recent disciplinary cases of note.

12:00 – 1:30 Lunch on your own

PLENARY AND BREAKOUT SESSIONS

12:00 – 1:30 Registration/Coffee Second Floor Lobby

1:30 – 2:00 Plenary Session: Introduction of the New Chief Judge and the State of the Court Courtroom 201

2:15 – 3:15 Judiciary and National Security: Attacks on Our Institutions of Democracy: The Role of the Judicial System Courtroom 201

How can the United States counter threats from the “Kremlin playbook” and fend off cyber interference into one of our most vital institutions: the United States judicial system? The panelists will discuss a legal framework and proposals to address the risk of interference from foreign adversaries.

Moderator

Harvey Rishikof, Temple University Beasley Law School

Panelists

Michael Bahar, Eversheds Sutherland LLP

Elizabeth Rindskopf Parker, McGeorge School of Law

Suzanne Spaulding, Center for Strategic & International Studies

3:15 – 3:30 Afternoon Refreshments Second Floor Lobby

3:30 – 4:30

Tax Panel

Courtroom 6

This panel will discuss the jurisdictional interplay between the COFC, Tax Court, and District Courts; highlight the advantages of litigating tax cases in the COFC; and describe how the new partnership regime impacts COFC tax litigation. Additionally, the presentation will highlight the importance of considering these topics before filing suit in any court.

Moderator

Senior Judge Loren A. Smith

Panelists

Jason Bergmann, Department of Justice

Fred Crombie, Coblenz Patch Duffy & Bass, LLP

Alex Sadler, Morgan Lewis

G. Rob Stewart, Department of Justice

Bid Protest Panel

Courtroom 4

Now that the dust has settled in Congress (at least for 2018), this panel will explore the current landscape of government contract bid protests, including: (1) choosing between the GAO and the Court of Federal Claims; (2) defining the “record” in the Court of Federal Claims; (3) what is the role of the expert witnesses; (4) whether to offer collaboration with the Department of Justice; (5) how to pursue settlement or corrective action in a judicial bid protest; and (6) what is the cost of a bid protest.

Moderator

Judge Thomas C. Wheeler

Panelists

Paul F. Khoury, Wiley Rein, LLP

Sharon L. Larkin, Larkin Ferrell LLP

Jason A. Carey, Covington & Burling LLP

William J. Grimaldi, Department of Justice

Rails to Trails: The Pitfalls When Litigating Liability and Damages Together or Separately – Using a Fee Shifting Statute, such as Rails to Trails

Courtroom 5

Rails to Trails provides an excellent study for the benefits and risks of litigating cases as a whole or in segments, utilizing motion practice, discovery, trial, post-trial activity, and/or settlement techniques to resolve all or part of the case. The panelists will examine these sometimes difficult and sometimes contentious topics in litigation between private parties and the United States.

Moderator

Senior Judge Marian Blank Horn

Panelists

Senior Judge Eric G. Bruggink

James D. Gette, Department of Justice

J. Robert Sears, Baker, Sterchi, Cowden & Rice, LLC

Vaccine Panel

Courtroom 201

This panel will discuss reasonable basis; what it is, how to get it and how to keep it.

Moderator

Special Master Brian Corcoran

Panelists

Special Master Katherine E. Oler

Christina M. Ciampolillo, Conway Homer, PC

Voris E. Johnson, Department of Justice

Jeffery S. Pop, Jeffrey S. Pop & Associates

Justine Walters, Department of Justice

4:45 – 5:00

Bar Association Annual Meeting – The Concorde Room at The Hay-Adams

5:00 – 7:00

Cocktail Reception – The Hay-Adams
800 16th St, N.W.